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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	M-9919 -1D US
	First Named Inventor or Application Identifier	Roman C. Gutierrez & Tony K. Tang
	Title	Snap-Down Pivoting Optical Element
	Express Mail Label No.	EV252521002US

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>	<b>ADDRESS TO:</b> Commissioner for Patents Mail Stop Patent Application Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form - <i>see page 2 of this form.</i> <small>(Submit an original, and a duplicate for fee processing)</small> 2. Application: <input checked="" type="checkbox"/> Specification: (preferred arrangement set forth below) Descriptive title of the Invention, Cross References to Related Applications, Reference to Microfiche Appendix, Background of the Invention, Brief Summary of the Invention, Brief Description of the Drawings, and Detailed Description (all totaling 12 pages) Appendix(ces) ___, ___, & ___ (___ pages) <input checked="" type="checkbox"/> Claim(s) 3 pages <input checked="" type="checkbox"/> Abstract of the Disclosure <u>1</u> page 3. <input checked="" type="checkbox"/> Formal Drawing(s) (35 USC 113)(Total Sheets <u>4</u> ) 4. Declaration & Power of Attorney: a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR §1.63(d)) <small>(for continuation/divisional with Box 17 completed)</small> c. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	6. <input type="checkbox"/> Microfiche Computer Program Appendix consisting of ___ pages of microfiche containing ___ frames on each page in accompanying envelope. 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies  <div style="text-align: center;"><b>ACCOMPANYING APPLICATION PARTS</b></div> 8. <input type="checkbox"/> Assignment Papers (from prior application) _ pages 9. <input type="checkbox"/> 37 CFR §3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <u>2</u> pages <small>(combined when there is an Assignee with Patent Declaration above.)</small> 10. <input type="checkbox"/> English Translation Document (if applicable) 11. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> ___ Copies of IDS Statement (IDS) & <input type="checkbox"/> PTO-1449 Citations/References References not included. Cited in parent application SN 09/451,677 12. <input checked="" type="checkbox"/> Preliminary Amendment <u>4</u> pages 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (should be specifically itemized) 14. Small Entity Status <input type="checkbox"/> Small Entity Statement Enclosed ___ pages <input checked="" type="checkbox"/> Statement filed in prior application; and status still proper and desired <input type="checkbox"/> Is no longer claimed. 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input checked="" type="checkbox"/> Other: <input type="checkbox"/> Copy of Petition for Extension of Time filed in parent appl.; <input checked="" type="checkbox"/> Request for Non-Publication
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17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information and a preliminary amendment: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional of prior application No. <u>09/870,967</u> Filed on <u>May 31, 2001</u> , entitled: <u>Snap-Down Pivoting Optical Element</u> PRIOR APPLICATION INFORMATION: <u>Examiner Euncha Cherry Group Art Unit 2872</u>	
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<b>18. CORRESPONDENCE ADDRESS</b>	
<input type="checkbox"/> Customer Number or Bar Code Label Name <b>Jon W. Hallman</b> Attorneys for Applicant <b>MacPherson Kwok Chen &amp; Heid LLP</b> Address <b>1762 Technology Drive, Suite 226</b> City <b>San Jose</b> State <b>CA</b> Zip Code <b>95110</b> Country: <b>United States</b> Telephone <b>(949) 752-7040</b> Fax <b>(408) 392-9262</b>	or <input checked="" type="checkbox"/> Correspondence address below Reg. No. 42,622

 22366 U.S. PTO  
 10/660816  
 09/12/03

Please type a plus sign (+) inside this box ⇒



## 19. Fee calculations.

CLAIMS (Number Filed)	(1) FOR	(2)		(3) NUMBER EXTRA		(4) RATE		(5) CALCULATIONS
19	TOTAL CLAIMS (37 CFR 1.16(c))	2-20	=	0	x	\$18	=	\$0.00
1	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2-3	=	0	x	\$84	=	\$0.00
<input type="checkbox"/>	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.18(d))				+	\$280.00	=	
						BASIC FEE (37 CFR 1.16(a))	=	\$ 375.00
						Total of above Calculations	=	\$0.00
						Reduction by 50% for filing by small entity (Note 31 CFR 1.9, 1.27, 1.28).	=	
						TOTAL	=	\$375.00

20. **FEES:** The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-2257:**

- a. ☒ Fees required under 37 CFR 1.16. (U.S. Application Filing Fees)
- b. ☒ Fees required under 37 CFR 1.17. (Conditional Extension of Time Fees)
- c. ☐ Fees required under 37 CFR 1.18. (Patent Issue Fees)

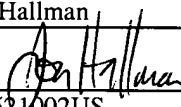
21. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this UPA UNLESS a new correspondence address is provided below.

## 22. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label						<input type="checkbox"/> New correspondence address below					
NAME _____											
ADDRESS _____											
CITY _____											
COUNTRY _____				TELEPHONE _____				FAX _____			

## 23. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

MacPherson Kwok Chen & Heid LLP 1762 Technology Drive, Suite 226 San Jose, CA 95110 Tel. (949) 752-7040 Fax. (408) 392-9262	
Date:	September 12, 2003
Name	Jon W. Hallman Reg. No. 42,622
Signature	
Express Mail Label No.	EV252521002US

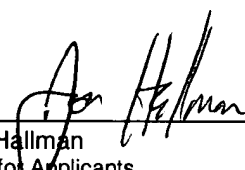
EXPRESS MAIL LABEL NO:  
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MODIFIED PTO/SB/35 (11-00)

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	Inventors	Roman C. Gutierrez & Tony K. Tang
	Title	Snap-Down Pivoting Optical Element
	Atty Docket Number	M-9919-1D US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 12, 2003  
Date

  
Jon W. Hallman  
Attorney for Applicants  
Reg. No.: 42,622

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**